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May 13, 2008

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By Facsimile Only: (510) 888-9044

Re: Boyd v. Kam
United States District Court No. C07-03595 JCS


Dear Mr. Davis:

This will confirm our conversation today whereby you approved the attached Joint Case Management Conference Statement sent to you May 5, 2008 and authorized us to submit it without your signature. Please be advised that we will represent to the court the same.

Thank you for your professional courtesy in this matter.

Very truly yours,

BENNETT, SAMUELSEN, REYNOLDS & ALLARD


Elizabeth Pacheco
EP/

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6 Attorneys for Defendant LAWRENCE KAM

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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA

11 ANDREW BOYD,

12 Plaintiff,

13 vs.

14 LAWRENCE KAM,

15 Defendant.
16 _____/

NO. C07-03595 JCS

**JOINT CASE MANAGEMENT
STATEMENT AND PROPOSED ORDER**

Date: May 23, 2008

Time: 1:30 p.m.

**Dept: Courtroom A, 15th Floor,
Honorable Joseph C. Spero,**

17 Having met and conferred about all matters described herein, the parties to the above
18 entitled action jointly submit this Case Management Statement and Proposed Order and
19 request the Court to adopt it as its Case Management Order in this case.

20 **DESCRIPTION OF THE CASE**

21 1. A brief description of the events underlying the action:

22 This accident arises out of a three vehicle motor vehicle accident that took place
23 on July 14, 2005 at 8:35 a.m. on northbound Interstate 880 south of Whipple Road in
24 Union City, California.

25 The brakes in Defendant's vehicle failed, and as a result, he struck Plaintiff's vehicle.
26 Plaintiff's vehicle struck the vehicle in front of it.

27 2. The principal factual issues which the parties dispute:

DISCOVERY

11. Written discovery have been served and responded to by both parties. Medical records and employment records have been obtained. The depositions of Plaintiff and his wife, occurred on February 13, 2008. Plaintiff submitted to an independent neuro-psychological examination by Alan Shonkoff, Ph.D. and an independent evaluation by board-certified neurosurgeon, Laszlo Tamas, MD.

The depositions of Joan M. Swearer, M.D., Kern Bayard, M.D., and Paula Ravin, M.D. were taken off calendar by Defendant.

12. The parties agree to the following discovery plan:

Parties have completed all discovery.

TRIAL SCHEDULE


12. A trial date of 9/15/08 has been ordered by the court.

13. The court has ordered that trial should take no more than 4 days.

DATED: May 13, 2008

BENNETT, SAMUELSEN, REYNOLDS & ALLARD

BY


Elizabeth Pacheco
Attorneys for Defendant
LAWRENCE KAM

DATED: May 13, 2008

LAW OFFICES OF WALTER L. DAVIS

BY

(Approved telephonically)

Walter L. Davis
Attorneys for Plaintiff
ANDREW BOYD

CASE MANAGEMENT ORDER

The Case Management Statement and Proposed Order is hereby adopted by the Court as the Case Management Order for the case and the parties are ordered to comply with this Order. In addition the Court orders:

[The Court may wish to make additional orders, such as:

- a. Referral of the parties to court or private ADR process;*
- b. Schedule a further Case Management Conference;*
- c. Schedule the time and content of supplemental disclosures;*
- d. Specially set motions;*
- e. Impose limitations on disclosure or discovery;*
- f. Set time for disclosure of identify, background and opinions of experts;*
- g. Set deadlines for completing fact and expert discovery;*
- h. Set time for parties to meet and confer regarding pretrial submissions;*
- i. Set deadline for hearing motions directed to the merits of the case;*
- j. Set deadline for submission of pretrial material;*
- k. Set date and time for pretrial conference;*
- l. Set a date and time for trial.]*

Dated: _____

United States District/Magistrate Judge.